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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,880	09/03/2002	Yoshio Goda	MAT-8189US	1394
53473	7590	10/14/2009		
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			EXAMINER HODGE, ROBERT W	
			ART UNIT	PAPER NUMBER
			1795	
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			10/14/2009 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* YOSHIO GODA,  
NORIO SUZUKI and KIYOSHI YAMASHITA

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Application No. 09/980,880  
Technology Center 1700

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Mailed: October 14, 2009

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Before PAMELA S. BENNETT, *Review Team Paralegal*.  
BENNETT, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on October 13, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

PETITION TO THE DIRECTOR UNDER 37 C.F.R. § 1.181  
REGARDING REFUSAL TO ENTER REPLY BRIEF

Appellants filed a paper entitled “Petition to the Director under 37 C.F.R. § 1.181 regarding Refusal to Enter Reply Brief” (hereinafter “Petition”) dated June 12, 2009. There is no indication on the record that the Examiner has considered the above Petition. It is also noted that the entry of this Petition does not appear in PALM. Correction is required.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) for consideration of the Petition filed June 12, 2009 as required;
- 2) for entry of the Petition filed June 12, 2009 into PALM; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

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